

US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

(Supplemental)

Issue Date: May 26, 2005
Comment Deadline: June 27, 2005
Corps Action ID #: 199301143

All interested parties are hereby advised that the Wilmington District, Corps of Engineers (Corps) has received an application for work within jurisdictional waters of the United States. Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant:

Mr. Gregory J. Thorpe, Ph. D.
Environmental Management Director, PDEA
N. C. Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act and Section 10 of the River and Harbor Act of 1899.

Location

The proposed project involves improvements to US Highway 17 (T.I.P. No. R-2510, Preferred Alternative B) beginning 0.5 miles south of NCSR 1127 (Possum Track Road) and extending northward along portions of the existing roadway and partially on new location to 0.2 miles north of NCSR 1418 (Roberson Road) in Beaufort County, North Carolina. The proposed project is located to the south, east, and north of Chocowinity and to the south, west, and north of Washington. The proposed project involves the crossing of 16 stream channels and the Tar River. The proposed project is located in the Tar-Pamlico River Basin, Hydrologic Unit 03020104. Latitude 35.5480692N, Longitude 77.0817849

Existing Site Conditions

Alternative B contains approximately 1589 acres of terrestrial communities. The Urban/disturbed areas and Agricultural lands occupy the majority of the landscape within

this alternative (approximately 539 acres/34 percent and 497 acres/31 percent, respectively). Cypress/Gum Swamp (approximately 260 acres/16 percent) is the next largest community. The remaining communities occupy small areas within the alternative: Successional/Clearcut, 41 acres/2.6 percent; Pine Woodlands 47 acres/3 percent; Mixed Pine/Hardwood Forest, 110 acres/7 percent; Mixed Hardwood Forest, 58 acres/4 percent; and Coastal Plain Small Stream Swamp, 36 acres/2 percent. The major wetland type (approximately 70%) associated with section R-2510A can be characterized as palustrine forested, mixed broad-leaved deciduous and flooded (PF06F, Cowardin, *et al*). This wetland classification specifically refers to the bottomland hardwood and cypress-gum communities associated with the Tar River floodplain and Old Ford Swamp. Wetland associated with the streams can be characterized as Coastal Plain bottomland hardwood wetlands. The other wetlands in R-2510A are classified as non-riverine wetlands located on broad flat interstream areas. The wetlands occurring within sections B & C are characterized in a similar manner as those in section A.

Applicant's Stated Purpose

The purpose of this project is to increase traffic capacity and safety by widening US 17 from the existing two-lane facility to a four-lane roadway and to route traffic around major urban centers in the project area.

Background

The Corps of Engineers issued an initial public notice for this project on October 3, 2002. The public notice described three construction alternatives to be considered. The NEPA/404 Merger Team selected alternative B as the Least Environmentally Damaging Practicable Alternative (LEDPA).

Project Description

The following description of work is taken from data provided by the applicant. Proposed impacts to jurisdictional areas of T.I.P. R-2510 consist of a total of 11.92 acres of permanent wetland impacts (8.74 acres of riverine, 3.23 acres of non-riverine), 0.15 acres of fill in surface waters, and 4,244.4 linear feet of stream channel impacts. Table 1 summarizes the jurisdictional impacts associated with the R-2510 project by Sections A, B, and C. Bridging the wetland associated with the Tar-Pamlico River has reduced wetland impacts.

Construction of this project is divided into three sections (R-2510A, R-2510B, and R-2510C). Permit drawings for all three sections are attached. The permit drawings are complete in detailing all proposed impacts occurring within section R-2510A, which is at 100 percent design completion. However, permit drawings for sections R-2510B and R-2510C detail the current best preliminary alignment and maximum potential impacts. Design for these latter sections is at 30 percent complete. The impacts associated with sections R-2510B and R-2510C are expected to decrease once final design is completed. Final permit drawings for R-2510B and R-2510C will be provided under separate cover

in the form of a permit modification request. NCDOT understands that no construction will occur on sections B and C until final design and resulting impacts have been approved by all regulatory agencies.

Proposed impacts to jurisdictional areas of Section R-2510A consist of 4.38 acres of wetlands (1.34 acres riverine and 3.04 acres of non-riverine), 0.06 acres of surface water impacts, and 478 linear feet of stream channel impacts. Estimated impacts associated with preliminary design of section R-2510B consist of 6.09 acres of wetland impacts (5.70 acres riverine and 0.39 acres non-riverine), 0.38 acres of surface water impacts and 2,417.3 linear feet of stream channel impacts. Estimated impacts associated with the preliminary design of section R-2510C consist of 1.49 acres of riverine wetland impacts, 0.33 acres of surface water impacts, and 1,349.1 linear feet of stream channel impacts.

Table 1. Summary of Jurisdictional Impacts

Section	Permanent Wetland Impacts (ac)* Riverine/non-riverine	Existing Channel Impacts (ft)	Surface Waters (ac)
R-2510A	1.34/3.04	478.0	0.06
R-2510B	5.70/0.39	2,417.3	0.38
R-2510C	1.49/0	1,349.1	0.33
TOTAL	8.53/3.43	4,244.4	0.77

* includes fill, excavation, and mechanized clearing

It will be necessary to relocate several utilities because of road widening activities. There are three utilities located on the west side of US 17 that are in the project's footprint: a water main, a gas main, and underground telephone cables. NCDOT will relocate these and use a directional bore so as not to impact environmentally sensitive areas. Progress energy has power lines on both sides of US 17 and NCDOT plans to relocate the lines to the east side of US 17.

Throughout the NEPA and design process this project has been designed to avoid and minimize impacts to jurisdictional areas. Specific strategies have been incorporated and commitments made by NCDOT to avoid and minimize jurisdictional impacts. Highlights include widening US 17 along the existing roadway in some areas, using 3:1 slopes within wetland limits, and bridging the wetlands associated with the Tar-Pamlico River.

NCDOT proposes to use the North Carolina Ecosystem Enhancement Program to provide the necessary compensatory mitigation for the unavoidable wetland impacts with the project. Additionally, NCDOT is currently investigating five sites for onsite stream restoration for this project. One is located in section A, three in section B, and one in section C. Based on preliminary reports, these sites may provide NCDOT with the following mitigation credits:

Section A – Approximately 1,100 feet of stream restoration.

Section B – Approximately 4,500 feet of restoration.

Section C – Approximately 1,400 feet of restoration.

Once these sites are designed and approved for compensatory mitigation, NCDOT will send EEP a revised request letter exhibiting the modifications to the original letter dated April 29, 2005.

The project is identified as Federal Aid Project No. MAF-75-3 (26), State Project No. 8.T150601, TIP No. R-2510

Vicinity maps showing the location of the proposed construction and sites are included with this public notice. Additional detailed plans, including NCDOT's cover letter dated May 3, 2005, and information about the North Carolina Ecosystem Enhancement Program, may be reviewed at the U.S. Army Corps of Engineers Regulatory Field Office at 107 Union Drive, Suite 202, Washington, North Carolina 27889, or at the offices of the North Carolina Division of Water Quality at the address shown below.

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, Transportation Permitting Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Mr. John Hennessy by June 20, 2005.

The applicant has not provided to the Corps, a certification statement that his/her proposed activity complies with and will be conducted in a manner that is consistent with the approved North Carolina Coastal Zone Management Program. Pursuant to 33 CFR 325.2(b)(2), the Corps can not issue a permit for the proposed work until the applicant submits such a certification to the Corps and the North Carolina Division of Coastal Management (NCDQM), and the NCDQM notifies the Corps that it concurs with the applicant's consistency certification.

Essential Fish Habitat

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps has determined pursuant to the Endangered Species Act of 1973, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat, other than the sensitive-joint vetch (*Aeschynomene virginica*). The US Fish and Wildlife Service has concurred with a determination that the project "may effect, not likely to adversely affect the sensitive-joint vetch by letter dated December 2, 2001. NCDOT will resurvey areas of potential habitat in the entire construction corridor for sensitive-joint vetch during the 2005 flowering season as requested by the USFWS.

Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving

the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

Commenting Information

The Corps is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

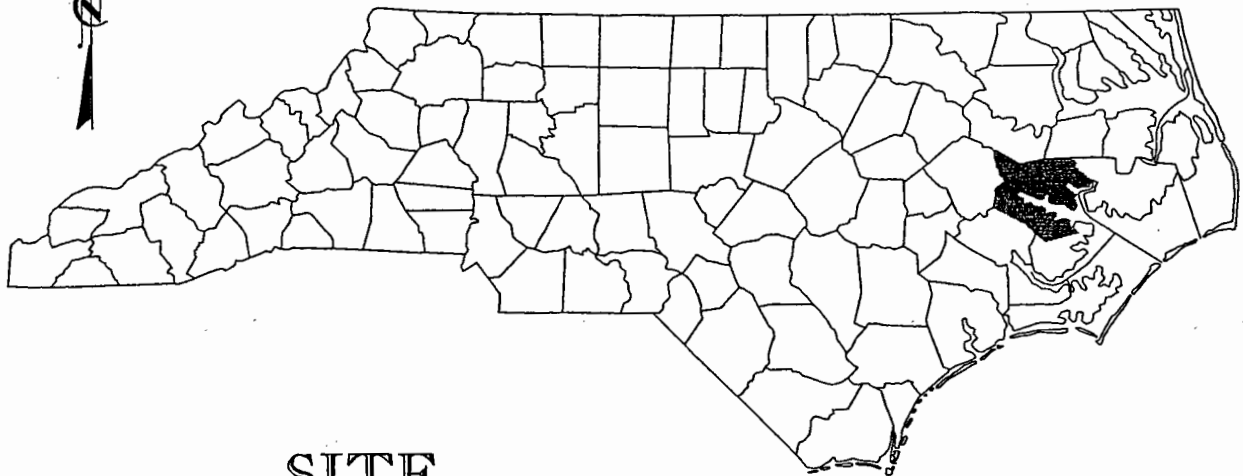
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, June 27, 2005. Comments should be submitted to:

Bill Biddlecome
Washington Regulatory Field Office
P.O. Box 1000
Washington, North Carolina 27889



NORTH CAROLINA



SITE



VICINITY MAP

**NORTH CAROLINA
DEPARTMENT OF HIGHWAYS**

BEAUFORT COUNTY
34440.I.I(R-2510A)

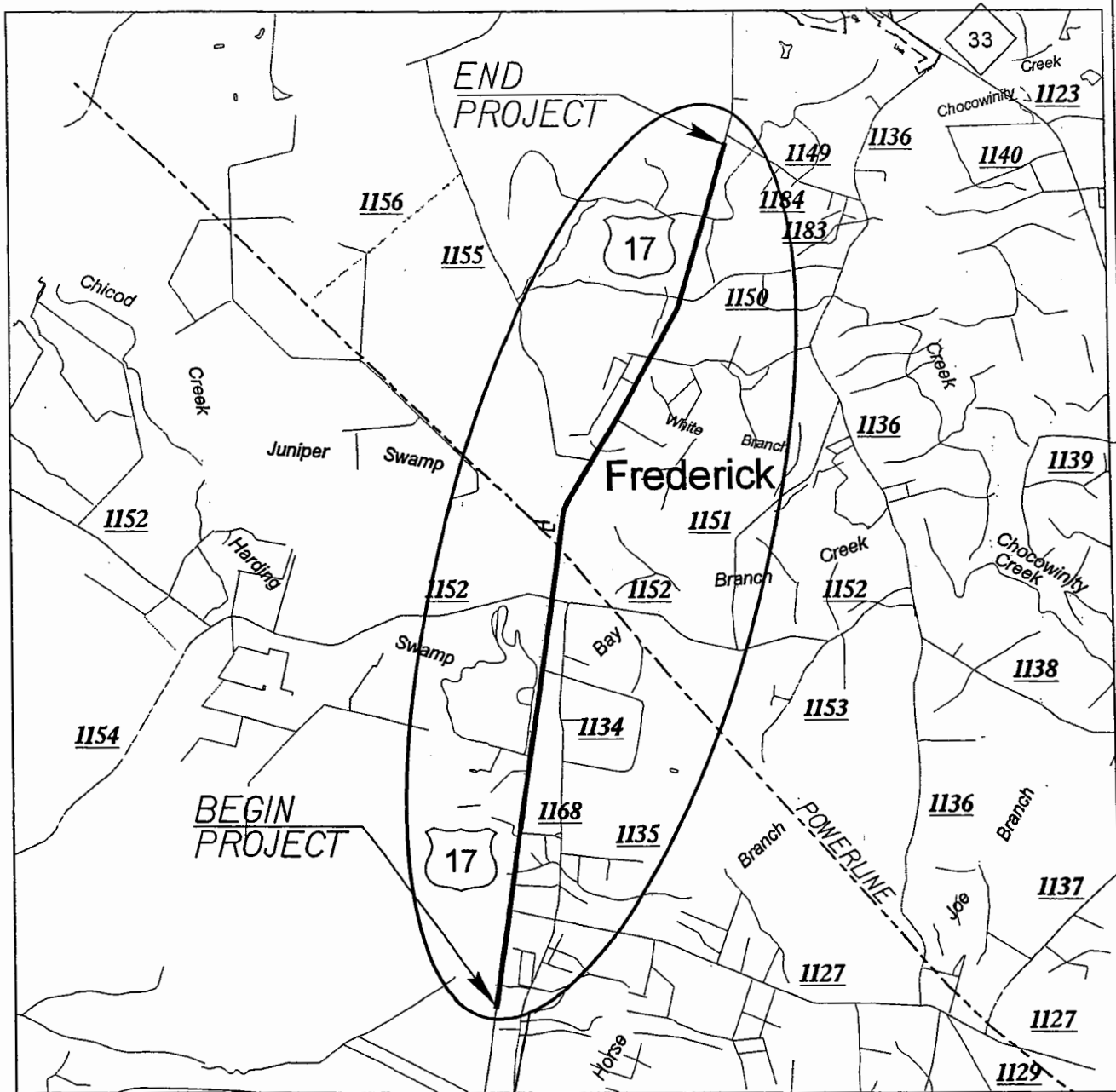
US 17 FROM SOUTH OF SR 1127 (POSSUM TRACK ROAD)
TO SR 1149 (PRICE ROAD)

NOT TO SCALE

DATE: AUG-04

SHEET 1 OF 6

WETLAND SITE MAP



SITE



**NORTH CAROLINA
DEPARTMENT OF HIGHWAYS**

BEAUFORT COUNTY
34440.IJ (R-2510A)

US 17 FROM SOUTH OF SR 1127 (POSSUM TRACK ROAD)
TO SR 1149 (PRICE ROAD)

NOT TO SCALE

DATE: AUG-04

SHEET 2 OF 6

WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS				SURFACE WATER IMPACTS				
			Fill In Wetlands (Ac)	Temp. Fill In Wetlands (Ac)	Excavation In Wetlands (Ac)	Mechanized Clearing (Method III) (Ac)	Fill In SW (Natural) (Ac)	Fill In SW (Pond) (Ac)	Temp. Fill In SW (Ac)	Existing Channel Impacted (ft)	Natural Stream Design (ft)
1	29+50 Rt		0.0784		0.0441	0.0142					
2	33+50 Rt				0.0214	0.0238					
3	57+50	66" RCP	0.0108		0.0072	0.0058	0.0105	0.0061	113		
4	63+50 to 67+00 Rt		0.3014		0.3302	0.1425					
5	85+00 to 90+20 Lt		0.0304		0.0877	0.0676					
6	86+10 to 93+60 Rt		1.0470			0.1639					
7	103+15 to 105+20 Lt		0.1491			0.0051					
8	107+20 to 110+20 Rt		0.2530		0.0128	0.0846					
9	117+15 to 120+50 Lt		0.1186		0.0873	0.0276					
10	132+00 to 134+60 Rt		0.4161		0.1659	0.0655					
11	136+90 to 138+20 Lt				0.0359	0.0079					
12	155+20 Rt	30" RCP	0.0171				0.0140	0.0019	88		
13	162+35	24" RCP					0.0087	0.0036	52		
14	185+82	24" RCP					0.0119	0.0080	122		
15	223+50 to 225+30	2 @ 8 ft x 7 ft	0.1766		0.0154	0.0789	0.0219	0.0310	103		
16	230+40 to 234+00 Rt		0.2049			0.0475					
17	241+30 to 241+65 Rt		0.0047		0.0093	0.0055					
TOTALS:			2.8080	0.0000	0.8171	0.7204	0.0670	0.0000	478	0	

N.C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS

BEAUFORT COUNTY

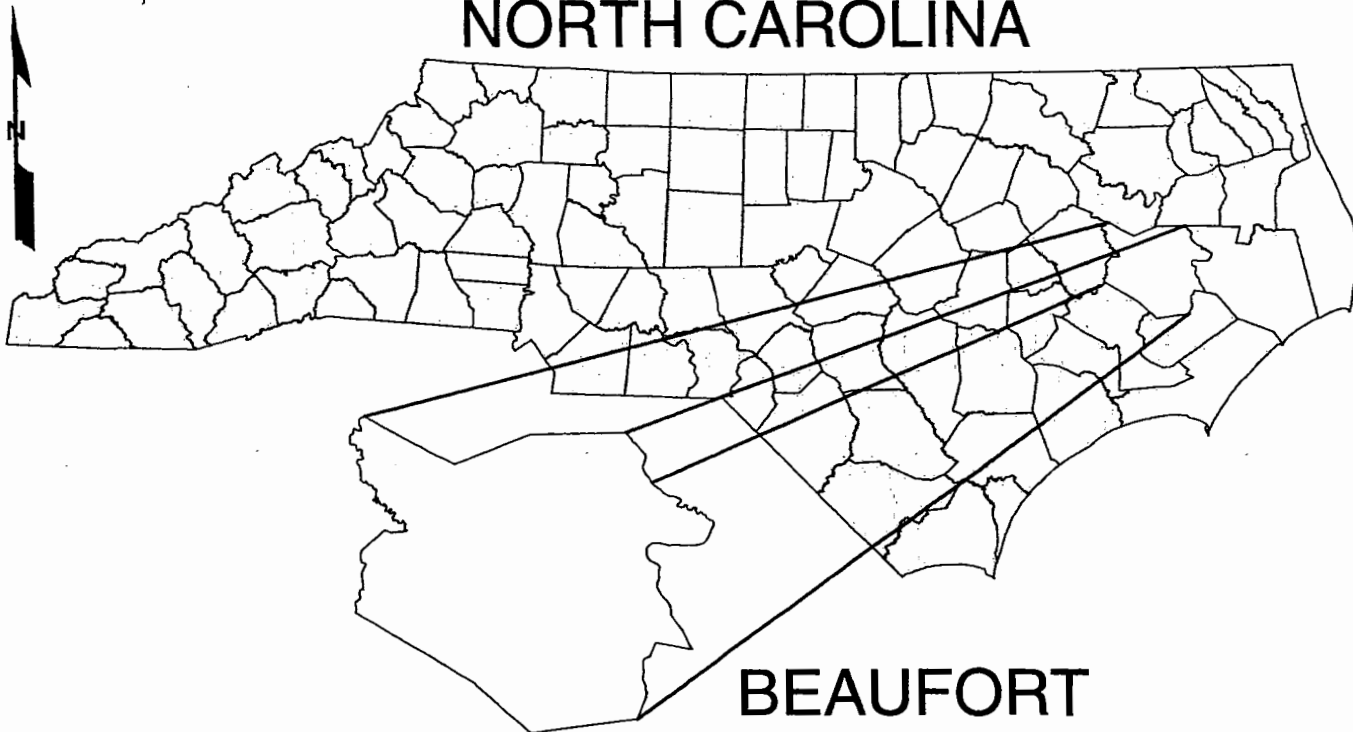
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4/20/2005

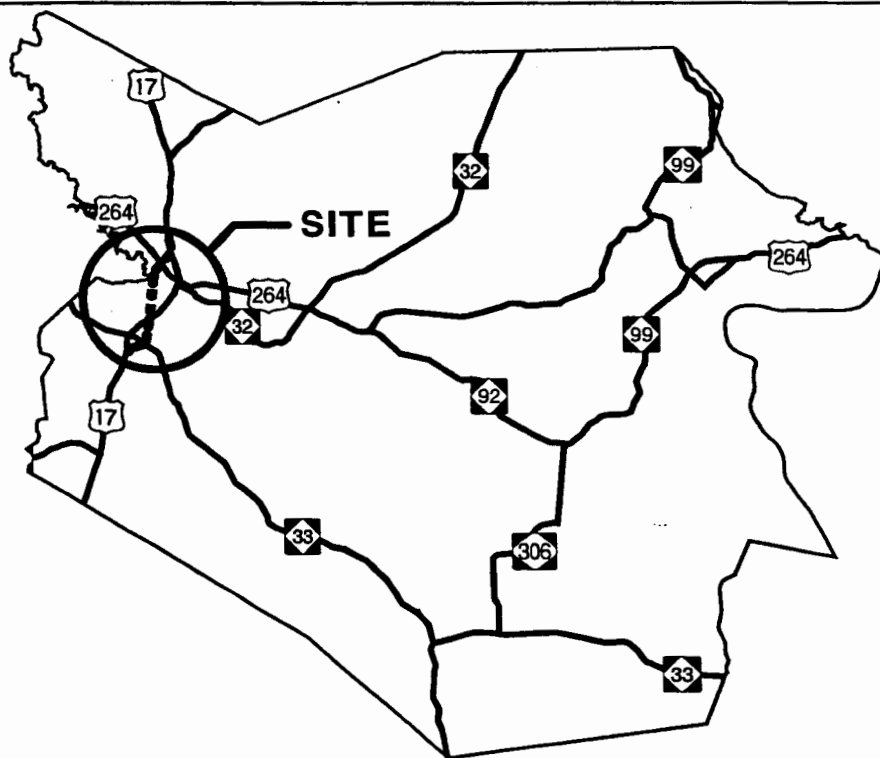
SHEET 6 OF 6

Form Revised 3/22/01

NORTH CAROLINA



BEAUFORT

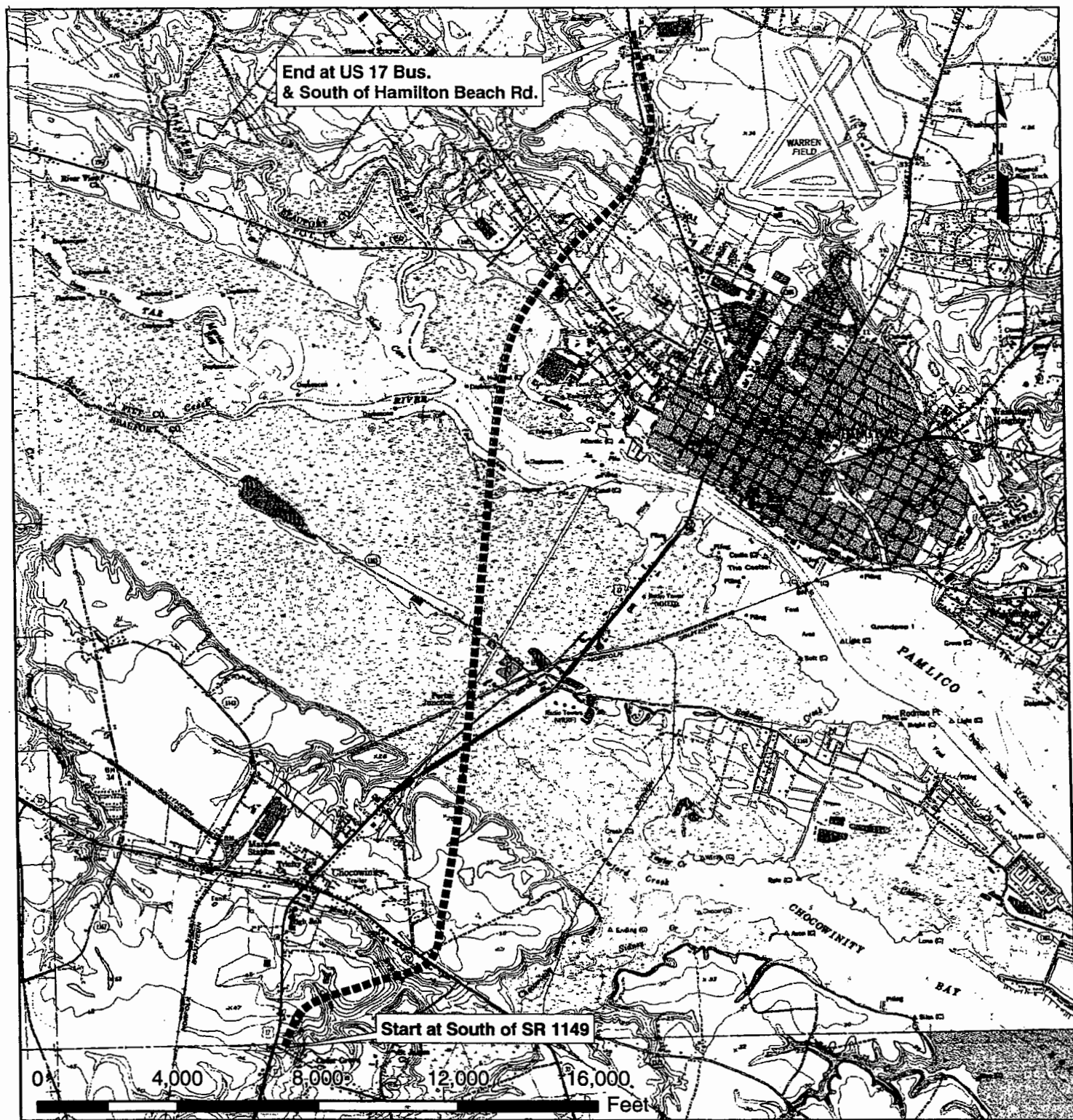


VICINITY MAPS

NCDOT

DIVISION OF HIGHWAYS
BEAUFORT COUNTY
PROJECT: 34440.1.1 (R-2510B)
US 17 BYPASS

3/11/05



1 inch equals 4,000 feet

LOCATION

NCDOT

**DIVISION OF HIGHWAYS
BEAUFORT COUNTY
PROJECT: 34440.1.1 (R-2510B)
US 17 BYPASS**

3/11/05

WETLAND IMPACTS

[illegible]

NOTE: WETLANDS IN CUT RUN PERPENDICULAR AND AWAY FROM THE ROADWAY, NOT PARALLEL. THEREFORE, DRAWDOWN EFFECT WAS NOT CALCULATED.

BRIDGE SHADING: 24.9 ac (DOES NOT INCLUDE TAR RIVER OR KENNEDY'S CREEK)
AVERAGE BRIDGE HEIGHT OVER TAR RIVER: APPR. 39 ft

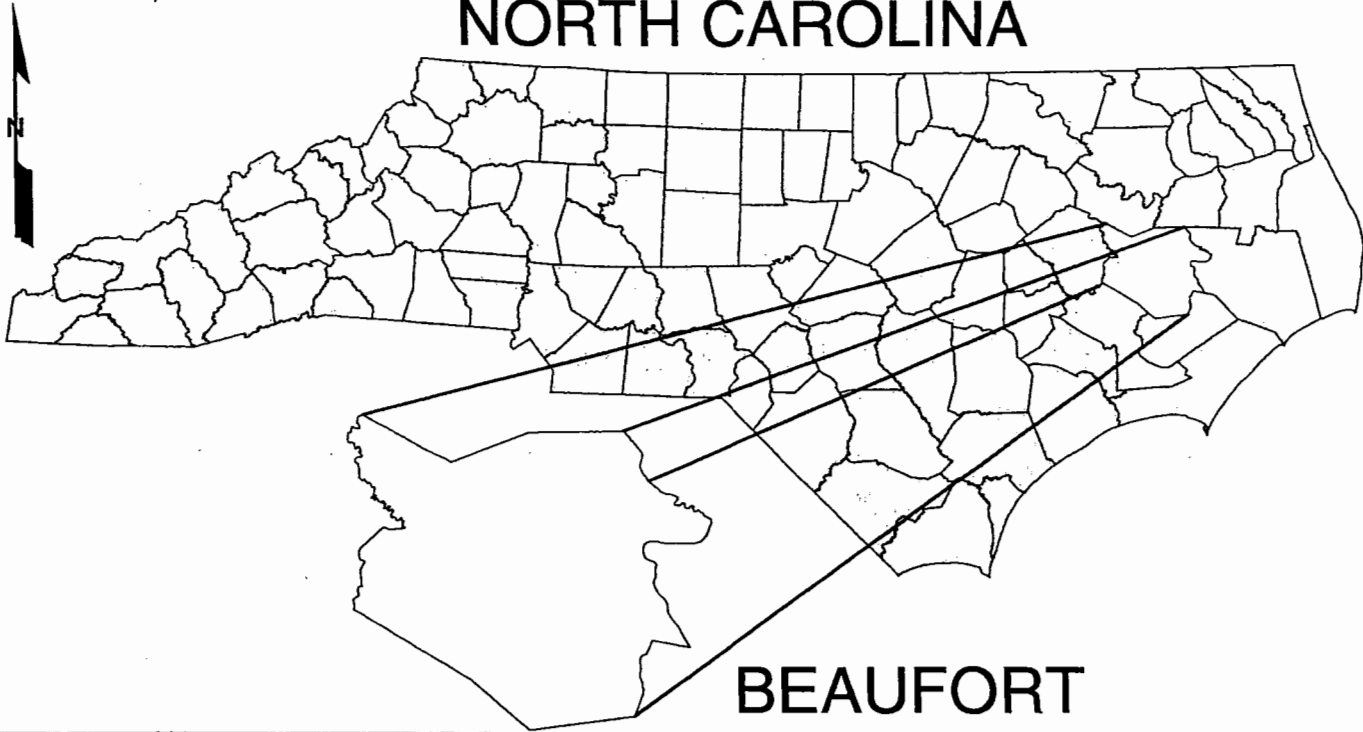
Form Revised 3/22/04

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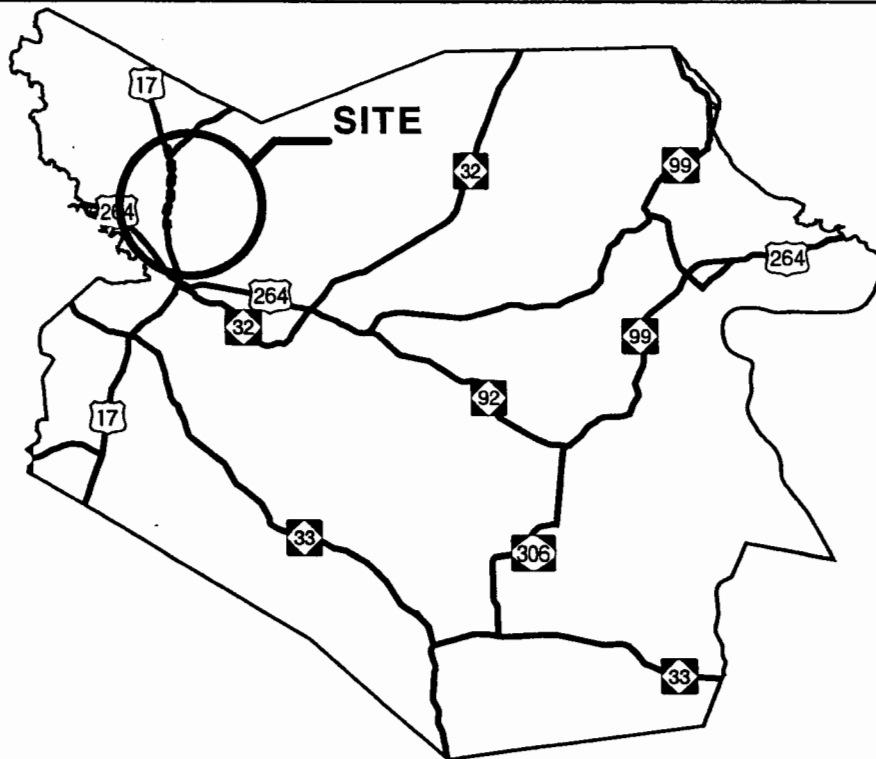
NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

BEAUFORT COUNTY
PROJECT 3.4440.1.1 (R-2510B)

NORTH CAROLINA



BEAUFORT

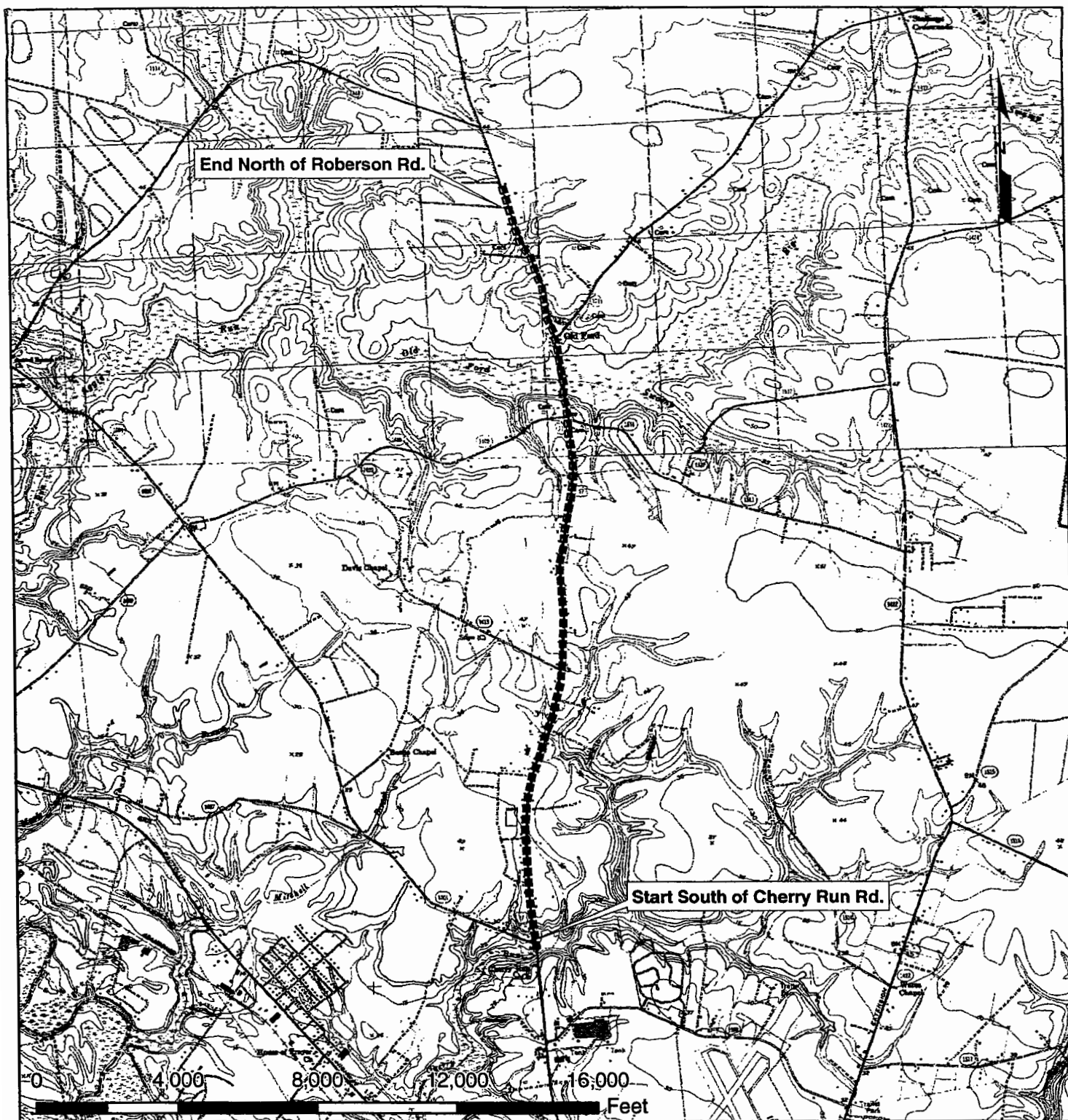


VICINITY MAPS

NCDOT

DIVISION OF HIGHWAYS
BEAUFORT COUNTY
PROJECT: 34440.1.1 (R-2510C)
US 17 BYPASS

3/11/05



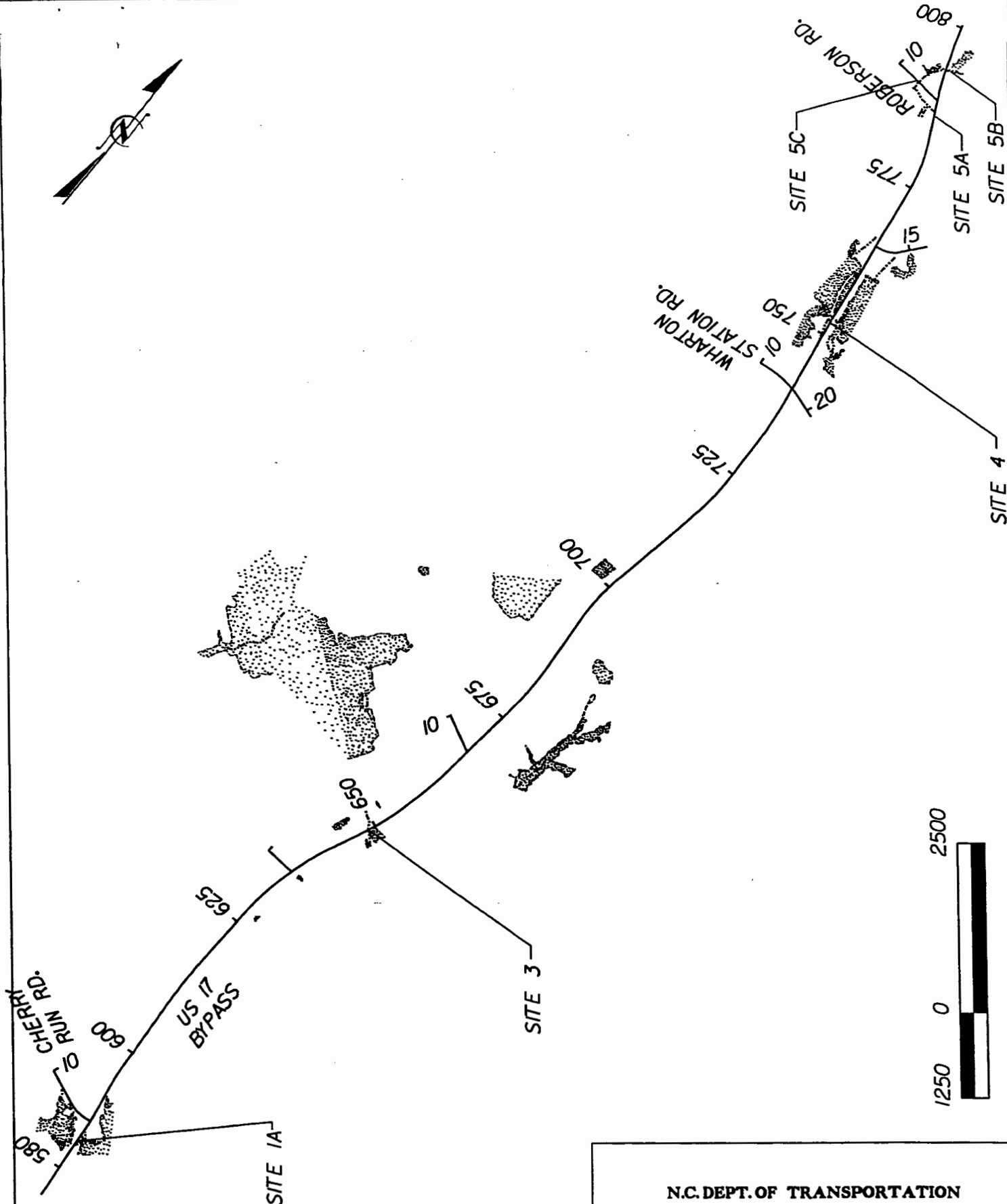
1 inch equals 4,000 feet

LOCATION

NCDOT

**DIVISION OF HIGHWAYS
BEAUFORT COUNTY
PROJECT: 34440.1.1 (R-2510C)
US 17 BYPASS**

3/11/05



SITE MAP

N.C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
BEAUFORT COUNTY

PROJECT 34440.11 (R-2510C)

US 17 BYPASS

03 / 11 / 05

WETLAND PERMIT IMPACT SUMMARY

WETLAND IMPACTS												SURFACE WATER IMPACTS				
Site No.	Station (From/To)	Structure Size / Type	Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation In Wetlands (ac)	Mechanized Clearing (Method III) (ac)	Fill In SW (Natural) (ac)	Fill In SW (Pond) (ac)	Temp. Fill In SW (ac)	Existing Channel Impacted (ft)	Natural Stream Design (ft)					
1A	-L- 582+75-585+75 LT/RT	ROADWAY FILL	0.022			0.027										
1B	-L- 590+70-592+70 RT	ROADWAY FILL			0.074	0.021										
1C	-Y26- 15+30-16+75 RT	ROADWAY FILL			0.056	0.019				*						
2	-L- 634+10-634+85 RT	ROADWAY FILL					0.003			113.8						
3	-L- 848+50-850+15 LT/RT	ROADWAY FILL	0.093			0.031	0.018			159.3						
4	-L- 743+50-761+90 LT/RT	ROADWAY FILL	1.035			0.108	0.287			841.6						
5A	-L- 786+20-788+05 LT/RT	ROADWAY FILL					0.007			107.5						
5B	-L- 792+40-794+15 LT/RT	ROADWAY FILL					0.008			72.5						
5C	-Y31- 13+15-14+60 LT/RT	ROADWAY FILL					0.006			54.4						

NOTE: WETLANDS IN CUT RUN PERPENDICULAR AND AWAY FROM THE ROADWAY, NOT PARALLEL. THEREFORE, DRAWDOWN EFFECT WAS NOT CALCULATED.

• II JURISDICTIONAL STREAM NOT IN GPS FILE. APPROXIMATE IMPACT 50LF +/- (FROM PREVIOUS ENVIRONMENTAL DOCUMENTATION.)

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

BEAUFORT COUNTY
PROJECT 3.4440.1.1 (R-2510C)

Form Revised 3/22/01

3/22/2005